

2008-007476

Klamath County, Oregon



00046612200800074760030034

05/22/2008 10:13:54 AM

Fee: \$31.00

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from Skyridge Estates III.,
a Nevada Limited Liability Company, Grantor
To Iva J. Stephens and Linda C. Stephens,
husband and wife or the survivor, et al, Beneficiary

AFTER RECORDING RETURN TO:

Scott D. MacArthur, P.C.
635 Main Street
Klamath Falls, OR 97601

NOTICE OF DEFAULT AND ELECTION TO SELL

KNOW ALL MEN BY THESE PRESENTS, that SKYRIDGE ESTATES III., A NEVADA LIMITED LIABILITY COMPANY, is the grantor, and AMERITITLE, INC., is the trustee, and Iva J. Stephens and Linda C. Stephens, Husband and Wife or the Survivor thereof as to an undivided 1.27% interest; Margaret Louise Privett, a married woman as to an undivided 1.27% interest; Julia O. Mori, a single woman as to an undivided 5.08% interest; Lonnie D. Moore and Janice L. Moore, Husband and Wife or the Survivor thereof; Johnny A. Davenport and Kelli J. Davenport, Husband and Wife or the Survivor thereof as to an undivided 3.04% interest; Ronald E. Morden and Mary Lou Morden, Trustees of the Morden Family Trust, dated December 19, 2000 as to an undivided 1.52% interest; California National Bank, Custodian FBO Richard H. Rank as to an undivided 1.52% interest; Charles L. Dame, Jr. and Victoria G. Dame, Trustees of the Charles and Victoria Dame Family Trust, dated August 16, 2001 as to an undivided 5.08% interest; Susan M. Glenn, as Trustee of the Susan M. Glenn Trust, dated September 30, 2002 as to an undivided 2.54% interest; Douglas E. Glenn, as Trustee of the Douglas E. Glenn Survivor's Trust, dated April 12, 1993 as to an undivided 2.54% interest; Harold G. Johnson and Rhonda L. Johnson, Co-Trustees of the Harold G. and Rhonda L Johnson 1996 Revocable Trust, dated October 10, 1996 as to an undivided 5.08% interest; George DeLong Construction, Inc, a Nevada Corporation as to an undivided 10.15% interest; Reno Quilici and Gloria F. Quilici, Co-Trustees of the Reno Quilici and Gloria Quilici Trust Agreement, dated March 8, 1990 as to an undivided 5.08% interest; Albert A. Mondonca and Albert J. Mendonca, Trustees of the Albert and Lillian Mendonca Family Trust, dated June 10, 1992 as to an undivided 5.08% interest; Anita A. York, a single woman as to an undivided 5.08% interest; Donald G. Peters and Jessell J. Peters, Co-Trustees of the Peters Family Trust, dated March 30, 2000 as to an undivided 3.80% interest; Judy DeLong as Trustee of DeLong Ranches Inc. Restated Profit Sharing Plan DTD August 4, 1991 as to an undivided 2.54% interest; Leslie Martin, a single man as to an undivided 5.08% interest; David Bengochea and Maria Bengochea, Husband and Wife or the Survivor thereof as to an undivided 2.54% interest; Patricia J. Dingacci, Trustee of the Patricia J. Dingacci Separate Property Trust, dated July 22, 1999 as to an undivided 2.78% interest; Lynn Week and Joyce Week, Co-Trustees of the Lynn and Joyce Week Family Trust Agreement, dated December 2, 2003 as to an undivided 5.08% interest; Italo G. Valle, Trustee of the Valle Family Trust, dated March 27, 1983 as to an undivided 2.54% interest; Dennis J. Bowmer and Janice L. Bowmer, Trustees of The Amended

and Restated Dennis J. Bowmer and Janice L. Bowmer 1991 Living Trust Agreement, dated June 24, 2003 as to an undivided 10.15% interest; David Delong, a single man as to an undivided 1.52% interest; Leland C. Larson and Linda E. Larson, Husband and Wife or the Survivor thereof as to an undivided 3.04% interest and Gary L. Troxel and Cynthia E. Troxel, Husband and Wife or the Survivor thereof as to an undivided 5.08% interest are the beneficiary under that certain trust deed dated March 16, 2007, and recorded on April 12, 2007, in book/reel/volume No. 2007 at page 006821 of the Mortgage Records of Klamath County, Oregon.

PARCEL 1 of LAND PARTITION 57-96, said Land Partition being a portion of Parcel 2 of LAND PARTITION 30-93, situated in the SE1/4 SE1/4 and NE1/4 SE1/4 of Section 26, Township 38 South, Range 9 East of Willamette Meridian, Klamath County, Oregon.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor-trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$16,732.56 per month beginning August 12, 2007 through the present.

Failure to pay the 2007-2008 real property taxes in the amount of \$476.43 or any portion thereof with interest thereon.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$1,970,000.00 as of August 12, 2007, plus interest.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for case the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorney.

Said sale will be held at the hour of 11:00 o'clock, A.M., Standard Time as established by Section 187.110 of Oregon Revised Statutes on September 26, 2008, at the following place: 635 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed by the trustee of said sale.

Other than as shown of record, neither the said beneficiary or the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS

NATURE OF RIGHT, LIEN OR INTEREST

Skyridge Estates III a Nevada LLC
P.O. Box 1189
Fernley, NV 89408

Default upon Trust Deed

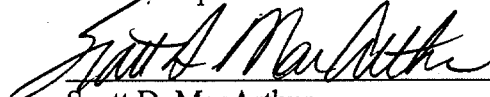
Kenneth R. Gearhart, Trustee
Managing Member, Skyridge Estates III, LLC
P.O. Box 1189
Fernley, NV 89408

Default upon Trust Deed

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: May 22nd, 2008.



Scott D. MacArthur
Successor Trustee

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this 22nd day of May, 2008,
by Scott D. MacArthur.

(SEAL)

Before me: Tamra M. Worthington
Notary Public for Oregon

My Commissioner Expires: March 19 2011

